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ATTORNEY DOCKET N APPLICATION NO. FILING DATE FIRST NAMED INVENTOR NERMATION NO. 10/614,018 07/08/2003 Atsuhiko Yokozeki 500.42913X00 9506 20457 7590 03/29/2004 EXAMINER ANTONELLI, TERRY, STOUT & KRAUS, LLP NORMAN, MARCE 1300 NORTH SEVENTEENTH STREET PAPER NUMBER ART UNIT **SUITE 1800** ARLINGTON, VA 22209-9889 3744

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address — ## Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM ## THE MAILING DATE OF THIS COMMUNICATION. ## A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM ## THE MAILING DATE OF THIS COMMUNICATION. ## White Mark Mark Mark Mark Mark Mark Mark Mark	į.		Application No.	Applicant(s)		
Marc E. Norman 3744 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.134(a). In colaver, may a reply be timely tilled affects to MONTHS from the maling date of this communication. - If the period for try to protected above is less than thirty (30) days, and the subtletory melinium of thirty (30) days, will be considered breatly. - Effaults on provide the crypt year of the consideration of the consideration of the providence of the communication. - If the period for try year of the consideration of the consideration of the subtletory melinium of thirty (30) days, will be considered breatly. - Effaults on the Office later than the consideration of the subtletory melinium of thirty (30) days, and the considered breatly. - Effaults on the Office later than the communication. - If the period for the consideration of the subtletory melinium of thirty (30) days, will be considered breatly. - Fallus to make the consideration of the consideration of the subtletory melinium of thirty (30) days will be considered breatly. - Fallus to make the subtletory melinium of thirty (30) days, will be considered breatly. - Fallus to make the subtletory melinium of thirty (30) days will be considered breatly. - Fallus to make the subtletory melinium of thirty (30) days will be application. - Fallus to make the subtletory melinium of thirty (30) days will be considered breatly the subtletory melinium of thirty (30) days will be considered breatly will be period to the subtletory melinium of thirty (30) days will be considered breatly will be period to the subtletory melinium of thirty (30) days will be considered breatly will be period to the period to the period to the provision of the period to the provision of the free application. - The days the subtletory that the c	ľ		10/614,018	YOKOZEKI ET AL.		
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Application/Control Number: 10/614,018

Art Unit: 3744

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsuboe et al. (U.S. Paten Application 2002/0026806).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Tsuboe et al. discloses a multi-compressor refrigerating machine (compressors 1a & 1b of Figure 5) driven by motors, the motors driven by a squirrel cage conductor 72 and a permanent magnet 71 to allow the motor to serve as a synchronous motor (paragraph 0012, lines 7-11); and selectively driving the motors by a commercial power source (paragraph 0067, lines 5-6) or by an inverter (paragraph 0066, line 4).

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As per claim 2, Tsuboe et al. discloses a multi-compressor refrigerating machine (compressors 1a & 1b of Figure 5) driven by motors having an iron core incorporating a permanent magnet 71 (abstract, lines 11-12), wherein at least one motor is an inverter driven variable speed compressor 1a and the other compressor is provided with a squirrel cage conductor 72 in addition to the permanent magnet (constant speed compressor 1b).

As per claim 3, Tsuboe et al. discloses a multi-compressor refrigerating machine (compressors 1a & 1b of Figure 5) driven by motors each having an iron core incorporating cage conductor 72 and permanent magnet 71, wherein the driven by commercial power source (paragraph 0067, lines 5-6) or a variable frequency inverter (paragraph 0066, line 4).

As per claim 4, Tsuboe et al. discloses using scroll compressors (see for example paragraph 0021, line 2).

As per claims 5 and 6, Tsuboe et al. discloses the armature windings being concentrically wound in stator 51 (Figure 6).

As per claim 7, if the inverter of Tsuboe et al. driving variable speed compressor 1a fails, compressor 1b would still be driven by a commercial power source.

As per claim 8, Tsuboe et al. discloses the moors having an armature core incorporating a cage conductor 72 and a permanent magnet 71 to allow the motor to serve as a synchronous motor (paragraph 0012, lines 7-11).

As per claim 9, Tsuboe et al. discloses the compressors being unified (paragraph 0059).

As per claim 10, Tsuboe et al. discloses controlling the compressor motors according to a detected discharge pressure value (Paragraphs 53-57).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc E. Norman whose telephone number is 703-305-2711. The examiner can normally be reached on Mon.-Fri., 8:00-5:30, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Esquivel can be reached on 703-308-2597. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

MARC NORMAN PRIMARY EXAMINER